STAND. COM. REP. NO. 420 -06

Honolulu, Hawaii

Fely 16, 2006

RE: H.B. No. 3098 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committees on Education and Labor & Public Employment, to which was referred H.B. No. 3098 entitled:

"A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS,"

beg leave to report as follows:

The purpose of this bill is to clarify statutes relating to charter school employees by:

- (1) Designating the local school board of a charter school as the employer for collective bargaining purposes;
- (2) Allowing the Executive Director of the Charter School Administrative Office (CSAO) to negotiate collective bargaining agreements; and
- (3) Allowing certain charter school employees to have the same transfer, tenure, and promotion rights as other Department of Education (DOE) civil service employees.

Numerous concerned individuals testified in support of this bill. The Department of Human Resources Development and CSAO supported the intent of this measure. The Office of Collective Bargaining, Board of Education, Hawaii Government Employees Association, and Hawaii State Teachers Association offered comments.

Your Committees have amended this bill by:

- (1) Removing provisions that designate the local school board of a charter school as the employer for collective bargaining purposes;
- (2) Removing provisions that allow the Executive Director of CSAO to negotiate collective bargaining agreements;
- (3) Allowing civil service employees at conversion charter schools to retain their civil service status when they take a voluntary demotion to another civil service position;
- (4) Further clarifying that civil service employees of conversion charter schools shall retain their civil service status in the DOE human resources civil service system;
- (5) Allowing certain charter school teachers to have the same transfer, tenure, and promotion rights as other DOE civil service employees, only if they take another teaching position; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 3098, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 3098, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on behalf of the members of the Committees on Education and Labor & Public Employment,

KIRK CALDWELL, Chair

ROY TAKUMI, Chair

HB3098 HD1 HSCR EDN-LAB HMS 2006-1930

State of Hawaii House of Representatives The Twenty-third Legislature

Record of Votes of the Committee on Education

Bill/Resolution No.:	Date: 2	10/06			
HB 3098					
Committee Referral:	☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended	Pass, with amendments				
☐ Hold	☐ Recommit				
EDN Members	Ayes	Ayes (WR)	Nays	Excused	
1. TAKUMI, Roy M. (C)					
2. BERG, Lyla B., Ph.D. (VC)	V				
3. ARAKAKI, Dennis A.				···	
4. CABANILLA, Rida T.R.	1.				
5. CHANG, Jerry L.	V,				
6. GREEN, Josh, M.D.	V				
7. HALE, Heléne H.					
8. HARBIN, Bev					
9. KAHIKINA, Michael Puamamo	V,				
10. SHIMABUKURO, Maile S. L.					
11. WATERS, Tommy	V				
12. CHING, Corinne W.L.	V				
13. FINNEGAN, Lynn		I			
		-	1		
TOTAL	8	1		4	
The recommendation is:					
☐ Not Adopted					
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If joint referral,	mittee acronym		ort recommendation		
Inla B. Bere					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee I	Duplicate (Yello	w) – Clerk's Office			

State of Hawaii House of Representatives The Twenty-third Legislature

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.:	Date:	2-10-0	6				
нв 3098							
Committee Referral: EDN/LAB, FIN	☐ The committee is reconsidering its previous decision on the measure.						
The recommendation is to: Pass, unamended Pass, with amendments							
☐ Hold	□ Hold □ Recommit						
LAB Members	Ayes	Ayes (WR)	Nays	Excused			
1. CALDWELL, Kirk (C)							
2. NAKASONE, Bob (VC)							
3. CHONG, Pono							
4. ITO, Ken							
5. OSHIRO, Marcus R.							
6. SHIMABUKURO, Maile S. L.							
7. SOUKI, Joseph M.							
8. MEYER, Colleen Rose							
9. STEVENS, Anne V.							
TOTAL	6			3			
The recommendation is: Adopted							
The recommendation is: Adopted							
☐ Not Adopted							
If joint referral,			rt recommendation				
committee acronym(s)							
3h Nakana							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office							